

IN THE CIRCUIT COURT WITHIN AND FOR  
THE COUNTY OF RIPLEY.  
STATE OF MISSOURI,

STATE OF MISSOURI      }  
PLAINTIFF,      }  
VS.      } CASE NO. 13RI-CR00907-01  
CHARLES M. HAYNES      }  
DEFENDANT.      }

BE IT REMEMBERED THAT ON THE 12<sup>TH</sup> DAY OF DECEMBER,  
2018, THE ABOVE ENTITLED CAUSE CAME ON FOR HEARING  
BEFORE THE HONORABLE KELLY W. PARKER, JUDGE OF THE 42<sup>ND</sup>  
JUDICIAL CIRCUIT, DIVISION II, AT RIPLEY COUNTY,  
MISSOURI, AND THE FOLLOWING PROCEEDINGS WERE HAD:

## APPEARANCES:

FOR THE PLAINTIFF: CHRISTINE KRUG, ESQ.  
ASSISTANT ATTORNEY GENERAL  
815 CLIVE STREET  
SUITE 200  
ST. LOUIS, MISSOURI 63101

FOR THE DEFENDANT: THEODORE LISZENSKI, ESQ.  
ATTORNEY AT LAW  
220 NORTH MAIN STREET  
SIKESTON, MISSOURI 63801  
DAVID MILLS, ESQ.  
ATTORNEY AT LAW  
1100 N. ELM STREET  
P.O. BOX 248  
ROLLA, MISSOURI 65402

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1 SENTENCING HEARING - DECEMBER 12, 2018;  
2 THE COURT: WE ARE ON THE RECORD IN STATE OF  
3 MISSOURI V. CHARLES M. HAYNES. THIS MATTER IS ON FOR  
4 SENTENCING TODAY. THE COURT HAS READ THE SENTENCING  
5 ASSESSMENT REPORT. I HAVE RECEIVED A COUPLE OF E-MAILS  
6 ONE FROM MS. KRUG WHICH INCLUDED A LETTER FROM MS., IS  
7 IT NEVER, NEVER, AND THE COURT HAS READ THAT LETTER. I  
8 DID RECEIVE AN E-MAIL FROM MR. MILLS THAT INCLUDED A  
9 POLICE REPORT RELATED TO THE ALLEGATION OF BURGLARY BY  
10 THE DEFENDANT INVOLVING M.S.H. I READ THAT FOR  
11 WHATEVER THAT'S WORTH. ANY PRELIMINARY MATTERS BY THE  
12 STATE BEFORE WE MOVE INTO THE SENTENCING?  
13 MS. KRUG: YES YOUR HONOR, THE DEFENSE HAS  
14 FILED A FOURTH AMENDED WITNESS ENDORSEMENT OF  
15 SENTENCING WITNESSES AND THE STATE IS GOING TO MOVE TO  
16 EXCLUDE A FEW OF THOSE BASED ON THE INFORMATION, SOME  
17 OF WHICH IS ON THIS ENDORSEMENT AND SOME OF WHICH IS  
18 NOT. WITH REGARD TO A DR. DUNCAN WHO IS THE SECOND  
19 LISTED WITNESS ON THERE, YOUR HONOR THEY'VE STATED THAT  
20 HE'S GOING TO TESTIFY REGARDING DEFENDANT AND HIS  
21 HISTORY WITH THE ALLEGED VICTIM AND THE MOTHER OF THE  
22 ALLEGED VICTIM. THE DEFENDANT HAS PLED GUILTY. THIS  
23 MATTER OF ALLEGED IS OVER. HE'S PLED GUILTY TO  
24 VICTIMIZING HER. SO ANYTHING ABOUT THAT RELATIONSHIP  
25 THAT MAY COME INTO PLAY WITH REGARDS TO YOU KNOW IF WE

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1 HER TO GIVE THAT AT ANY TIME AND THEN I'LL GIVE YOU  
2 ANOTHER OPPORTUNITY TO PRESENT ANYTHING YOU WANT TO  
3 PRESENT.  
4 MR. LISZENSKI: APPRECIATE THAT.  
5 THE COURT: OKAY. OTHER THAN THE VICTIM DOES  
6 THE STATE HAVE ANY EVIDENCE TO PRESENT?  
7 MS. KRUG: NO YOUR HONOR.  
8 THE COURT: OKAY EVIDENCE ON BEHALF OF THE  
9 DEFENDANT?  
10 DEFENDANT'S EVIDENCE:  
11 MR. LISZENSKI: YES JUDGE WE'LL BEGIN BY  
12 CALLING JENNIFER WILLIAMS.  
13 THE COURT: JENNIFER WILLIAMS. PLEASE COME  
14 FORWARD AND RAISE YOUR RIGHT HAND TO BE PLACED UNDER  
15 OATH.  
16 (AT THIS TIME JENNIFER WILLIAMS WAS SWEORN TO TELL THE  
17 TRUTH, THE WHOLE TRUTH, AND NOTHING BUT THE TRUTH,  
18 AFTER WHICH THE FOLLOWING PROCEEDINGS WERE HAD:)  
19 THE COURT: YOU MAY HAVE A SEAT. YOU MAY  
20 INQUIRE.  
21 DIRECT EXAMINATION BY MR. LISZENSKI:  
22 Q. THANK YOU YOUR HONOR. MA'M WOULD YOU  
23 STATE YOUR NAME FOR THE RECORD.  
24 A. JENNIFER WILLIAMS.  
25 Q. AND JENNIFER YOU ARE A LICENSED ATTORNEY

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1 IN THE STATE OF MISSOURI?  
2 A. YES.  
3 Q. YOU ALSO HAVE A ROLE AS IT RELATED INTO  
4 THE DISSOLUTION CHARLES HAYNES VERSUS CYNTHIA HAYNES,  
5 IS THAT CORRECT?  
6 A. YES.  
7 Q. WHAT IS YOUR ROLE IN THAT CASE?  
8 A. I AM THE COURT APPOINTED GUARDIAN AD  
9 LITEM FOR **M.H.** AND **S.H.**  
10 Q. OKAY INITIALLY WHENEVER THE DIVORCE WAS  
11 FILED IT WAS TWO CHILDREN AND NOW YOU ARE THE GAL FOR  
12 JUST **S.H.** IS THAT CORRECT?  
13 A. YES IT IS.  
14 Q. IF YOU WOULD BRIEFLY DESCRIBE TO THE  
15 COURT WHAT YOUR COURSE OF DUTIES ARE AS GAL AND  
16 OBLIGATIONS?  
17 A. MY OVER-ARCHING OBLIGATION IS TO MAKE A  
18 RECOMMENDATION TO THE COURT THAT I BELIEVE TO BE IN THE  
19 CHILDREN'S BEST INTEREST WITH REGARD TO CUSTODY AND  
20 VISITATION BETWEEN THE PARENTS. IN CONNECTION WITH  
21 MAKING THAT RECOMMENDATION I INTERVIEW PARTIES,  
22 INTERVIEW COLLATERAL WITNESSES, REVIEW ANY  
23 DOCUMENTATION THAT'S PROVIDED BY PARTIES. IN THIS  
24 PARTICULAR CASE THERE'S A LENGTHY HISTORY WITH THIS  
25 FAMILY AND SO SOME OF MY DUTIES INCLUDED DISCUSSING

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1 THIS MATTER OR PREVIOUS MATTERS WITH PRIOR GUARDIAN AD  
2 LITEMS AS WELL.

3 Q. OKAY. THROUGHOUT THE COURSE OF YOUR  
4 REPRESENTATION OF THE CHILDREN IN THE CASE DID YOU HAVE  
5 AN OPPORTUNITY TO INTERVIEW CHUCK HAYNES, CINDY HAYNES,  
6 M.H. AND S.H. ?

7 A. YES I HAVE.

8 Q. AND HAVE YOU HAD AN OPPORTUNITY TO SPEAK  
9 WITH THE VICTIM IN THIS CASE M.S.H.?

10 A. I WAS REQUESTED TO DO SO AND I DECLINED  
11 TO DO SO FOR FEAR THAT IT WOULD POTENTIALLY CAUSE ME TO  
12 BE A WITNESS IN THE CRIMINAL CASE AND IMPACT MY ABILITY  
13 TO ADVOCATE FOR S.H. AND M.H. .

14 Q. OKAY SO YOU'VE NEVER PERSONALLY SPOKEN  
15 TO M.S.H. AT ALL?

16 A. NOTHING MORE THAN SHE WAS PRESENT WITH  
17 CINDY HAYNES WHEN SHE CAME TO MY OFFICE ONE TIME AND  
18 SHE REMAINED IN THE LOBBY WHILE I INTERVIEWED CINDY  
19 HAYNES.

20 Q. OKAY. FROM YOUR INVESTIGATION IN THE  
21 CASE HOW WOULD YOU DESCRIBE THE RELATIONSHIP THAT CHUCK  
22 HAYNES HAD WITH HIS CHILDREN M.H. AND S.H.?

23 A. AT TIMES GOOD AND AT TIMES BAD. THE  
24 VERY FIRST TIME THAT I INTERVIEWED THE MINOR CHILDREN  
25 THEY, THEY CAME TO THE OFFICES WITH THEIR FATHER, THEY

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1 SPOKE POSITIVELY ABOUT THEIR FATHER, INDICATED THAT  
2 THEY HAD A GOOD RELATIONSHIP WITH HIM, SUBSEQUENTLY AND  
3 CONSISTENTLY SINCE THAT TIME THE CHILDREN HAVE REPORTED  
4 TO ME THAT THEY DIDN'T WANT TO SEE FATHER, IT'S BEEN A  
5 TUMULTUOUS RELATIONSHIP SINCE THEN.

6 Q. WOULD IT BE FAIR TO SAY THAT THIS CASE  
7 HAS TAKEN A TOLL ON THEM?

8 A. I BELIEVE..

9 MS. KRUG: JUDGE THAT CALLS FOR SPECULATION.  
10 THE COURT: OVERRULED.

11 Q. LET ME REPEAT THE QUESTION, MY  
12 APOLOGIES. WOULD IT BE FAIR TO SAY IN YOUR EXPERIENCE  
13 THAT THIS HAS TAKEN A TOLL ON WELL I GUESS S.H. MORE  
14 SPECIFICALLY TODAY?

15 A. I BELIEVE SO, I BELIEVE SHE'S A VERY  
16 CONFLICTED LITTLE GIRL.

17 Q. AND IN YOUR INVESTIGATIONS WAS CHUCK A  
18 DECENT FATHER TO S.H.?

19 MS. KRUG: OBJECTION.

20 THE COURT: I'M SORRY WOULD YOU REPEAT THE  
21 QUESTION.

22 Q. IN THE COURSE OF YOUR INVESTIGATION IN  
23 YOUR DUTIES WAS CHUCK A DECENT FATHER TO SARAH?

24 THE COURT: WHAT WAS THE...

25 MS. KRUG: RELEVANCE.

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1 THE COURT: THE OBJECTION IS SUSTAINED.  
2 Q. LET ME ASK YOU GOING FORWARD IF THE  
3 COURT WERE TO SEND CHUCK TO THE DEPARTMENT OF  
4 CORRECTIONS WOULD YOU HAVE, I UNDERSTAND YOU HAVE NOT  
5 MADE A RECOMMENDATION AS TO CUSTODY AND PLACEMENT IS  
6 THAT RIGHT?

7 A. THAT'S CORRECT.

8 Q. DO YOU HAVE ANY CONCERN AS IT WOULD  
9 RELATE TO S.H. NOT BEING AROUND HER FATHER AND  
10 EXCLUSIVELY AROUND CINDY HAYNES AND M.S.H.?

11 MS. KRUG: OBJECTION.

12 THE COURT: OVERRULED.

13 Q. LET ME, DO YOU UNDERSTAND MY QUESTION?

14 A. NO.

15 Q. OKAY, IF THE JUDGE WERE TO SAY CHUCK  
16 GOES TO PRISON AND I ASKED A POOR QUESTION, MY  
17 APOLOGIES, IF THE JUDGE SAID CHUCK IS GOING TO PRISON  
18 TODAY OR WHATEVER THE SENTENCE IS, WOULD YOU HAVE  
19 CONCERN AS THE GUARDIAN AD LITEM ABOUT S.H. BEING IN  
20 THE EXCLUSIVE CONTACT OF CINDY AND M.S.H., THE VICTIM  
21 IN THIS CASE?

22 A. PARTIALLY CONCERN ABOUT THAT BUT  
23 PARTIALLY JUST CONCERN THAT I ALWAYS HAVE WHEN A CHILD  
24 IS LIMITED IN CONTACT WITH A PARENT. NOW WHAT THE  
25 EXTENT OF THAT CONTACT WOULD NEED TO LOOK LIKE IN THE

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1 CIVIL CONTEXT COULD BE A VARIETY OF THINGS BUT I'M  
2 ALWAYS CONCERNED WHEN A CHILD IS COMPLETELY SEPARATED  
3 FROM ANY OF THEIR PARENTS. I DO HOWEVER HAVE CONCERN  
4 THAT FATHER AND HIS FAMILY HAVE NOT SEEMED TO BE ABLE  
5 TO HAVE ANY ACCESS TO THE CHILDREN FOR QUITE SOME TIME.

6 Q. AND THAT IS PARTLY BECAUSE OF THIS  
7 CRIMINAL CASE IS THAT TRUE?

8 A. IT'S MY UNDERSTANDING THAT'S A LARGE  
9 PART OF IT YES.

10 Q. DO YOU HAVE ANY SPECIFIC CONCERN WITH  
11 SOME THINGS THAT WERE FOUND ON THE VICTIM'S PHONE,  
12 THINGS OF THAT NATURE?

13 A. YES.

14 MS. KRUG: OBJECTION RELEVANCE.

15 THE COURT: HOW WOULD SHE KNOW ABOUT THAT?  
16 MR. LISSEWSKI: AS THE GUARDIAN AD LITEM SHE  
17 WAS INFORMED ABOUT THAT DURING THE COURSE OF  
18 REPRESENTING THE CHILDREN.

19 MS. KRUG: BY DEFENSE COUNSEL, SO IN ADDITION  
20 TO NOT BEING RELEVANT OBJECTION TO HEARSAY.

21 THE COURT: SUSTAINED. THE OBJECTION IS  
22 SUSTAINED.

23 Q. DO YOU HAVE ANY CONCERN ABOUT S.H.  
24 BEING LEFT EXCLUSIVELY TO CINDY?

25 A. IN MY OBSERVATION THROUGHOUT THE HISTORY

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1 OF THIS CASE MY BELIEF IS THAT MOTHER HAS GREATLY  
 2 MANIPULATED THESE CHILDREN. IF THEY DID NOT SAY WHAT  
 3 SHE WANTED THEM TO SAY I BELIEVE THAT THERE WERE  
 4 ATTEMPTS TO MANIPULATE THEM UNTIL THEY DID AND I  
 5 BELIEVE AS I'VE LOOKED BACK AT OTHER RECORDS WITH THE  
 6 PRIOR JUVENILE CASE I BELIEVE THAT'S BORN OUT WITH THE  
 7 VICTIM IN THE PRESENT CASE AS WELL AS M.S.H. SO THOSE  
 8 ARE MY CONCERN.

9 MR. LISZEWSKI: THAT'S ALL THE QUESTIONS I  
 10 HAVE.

11 THE COURT: MS. KRUG,

12 CROSS EXAMINATION BY MS. KRUG:

13 Q. THANK YOU YOUR HONOR. MS. WILLIAMS THE  
 14 CHILDREN TOLD YOU THAT THEY DIDN'T WANT TO BE AROUND  
 15 MR. HAYNES OR HIS MOTHER BERNICE HAYNES CORRECT?

16 A. YES THAT'S CORRECT.

17 Q. DUE TO VERBAL ABUSE, EMOTIONAL ABUSE?

18 A. YES.

19 Q. SO WHETHER OR NOT WE'RE EVEN TALKING  
 20 ABOUT CINDY HAYNES IN THIS CONTEXT THEY DIDN'T WANT TO  
 21 BE WITH THE DEFENDANT?

22 A. THAT IS CORRECT. MY CONCERN WITH THAT  
 23 WAS THE LEVEL OF INFLUENCE EXERTED BY MOTHER AND M.S.H.

24 Q. ALRIGHT. AND YOUR ROLE AS THE GUARDIAN  
 25 AD LITEM IS TO ADVOCATE ON BEHALF OF THE CHILDREN IS

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1 THAT RIGHT?

2 A. THAT'S CORRECT.

3 Q. AND SOMETIMES WHEN YOU'RE IN THAT ROLE  
 4 THAT MEANS THAT NO MATTER THE OUTCOME OF A RELATED  
 5 CRIMINAL CASE YOU MIGHT NOT RECOMMEND THAT THE CHILD BE  
 6 LEFT WITH THE OTHER PARENT, ISN'T THAT TRUE?

7 A. I'M SORRY COULD YOU REPEAT?

8 Q. THE HYPOTHETICAL THAT MR. LISZEWSKI  
 9 PRESENTED EARLIER, IF THE DEFENDANT GOES TO PRISON  
 10 TODAY HE ASKED YOU ABOUT ANY CONCERNS YOU MIGHT HAVE  
 11 WITH S.H., THEN BEING IN THE SOLE CUSTODY OF CINDY  
 12 HAYNES AND ANY MEMBERS THAT MAY LIVE WITH HER IS THAT

13 RIGHT?

14 A. YES.

15 Q. BUT THAT CASE IS NOT CONCLUDED IS IT?

16 A. THAT'S CORRECT IT'S NOT.

17 Q. AND YOU'VE NOT MADE A RECOMMENDATION YET  
 18 CORRECT?

19 A. THAT'S ALSO CORRECT.

20 Q. AND THERE ARE ANY NUMBER OF  
 21 RECOMMENDATIONS YOU COULD MAKE CORRECT?

22 A. THAT'S CORRECT.

23 Q. AND NONE OF THOSE WOULD HAVE ANYTHING TO  
 24 DO WITH THE FACT THAT THE DEFENDANT CHUCK HAYNES HAS  
 25 PLED GUILTY TO SEXUALLY ASSAULTING HIS STEP-DAUGHTER

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## 1 M.S.H.?

2 A. NOT WITH REGARDS TO RECOMMENDATIONS I  
 3 MIGHT MAKE WITH REGARD TO CINDY AND WHAT CONTACT SHE  
 4 WOULD HAVE WITH THE CHILDREN.

5 Q. RIGHT AND YOU'VE RECOGNIZED THAT THERE  
 6 SHOULD BE A DISTINCTION BETWEEN THE TWO CASES BECAUSE  
 7 YOU'VE ALREADY TOLD US AS PART OF YOUR ROLE AS THE  
 8 GUARDIAN AD LITEM YOU DECLINED TO INTERVIEW YOUR  
 9 CLIENT'S STEP-SISTER CORRECT?

10 A. THAT'S CORRECT.

11 Q. ALRIGHT AND MS. WILLIAMS YOU HAVE I  
 12 ASSUME YOU'VE HAD SUPERVISED OR YOU'VE HAD CLIENTS,  
 13 CHILD CLIENTS WHO HAVE BEEN VICTIMS OF SEXUAL ABUSE?

14 A. YES.

15 Q. IS THAT FAIR TO SAY?

16 A. YES IT IS.

17 Q. AND I WOULD ASSUME YOU'VE HAD SOME  
 18 TRAINING IN THAT AREA?

19 A. WE HAVE INITIAL 8 HOURS OF TRAINING THAT  
 20 WE HAVE TO COMPLETE IN ORDER TO BE CERTIFIED AS A  
 21 GUARDIAN AD LITEM AND WE HAVE TO CONTINUALLY MAINTAIN  
 22 ADDITIONAL TRAINING THROUGHOUT EACH YEAR AND SOME OF  
 23 THAT TRAINING IS IN CONNECTION WITH DEALING WITH  
 24 VICTIMS OF SEXUAL ABUSE YES.

25 Q. SO YOU RECOGNIZE SOME OF THE FACTORS

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1 THAT COME INTO PLAY BOTH WITH VICTIMS AND ABUSERS  
 2 CORRECT?

3 A. CORRECT.

4 Q. AND YOU AS THE GUARDIAN AD LITEM YOU'RE  
 5 IN CONTACT WITH ANYONE WHO IS SET OUT TO DEAL WITH THE  
 6 BEST INTERESTS OF THE CHILD CORRECT?

7 A. AND OTHERS AS WELL I MEAN THERE MAY BE  
 8 COLLATERAL WITNESSES WHO DON'T HAVE THE CHILD'S BEST  
 9 INTEREST AT HEART WHO I MAY BE REQUIRED OR NECESSARY  
 10 FOR ME TO INTERVIEW, BUT YES I BELIEVE THAT THE COURT'S  
 11 ROLE AND MY ROLE CERTAINLY IS MOSTLY CONCERNING THE  
 12 BEST INTERESTS OF THE CHILD.

13 Q. AND SO THAT MIGHT INCLUDE THE THERAPIST  
 14 CORRECT?

15 A. CORRECT.

16 Q. MEDICAL DOCTORS?

17 A. YES.

18 Q. TEACHERS?

19 A. YES.

20 Q. NEIGHBORS?

21 A. YES.

22 Q. FOSTER PARENTS?

23 A. YES.

24 Q. ALRIGHT AND SO IN YOUR EXPERIENCE WITH  
 25 CHILDREN WHO'VE BEEN SEXUALLY ABUSED AND THE OFFENDERS

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1 I'M SURE YOU'RE AWARE OF THE FACT THAT MANY SEX  
 2 OFFENDERS HAVE A PREFERRED TYPE OF VICTIM OR AGE OF  
 3 VICTIM?

4 A. I'M AWARE THAT THAT'S SOMETIMES TRUE  
 5 YES.

6 Q. AND WHILE SOME MAY PREFER YOUNGER  
 7 CHILDREN AND SOME MIGHT PREFER YOUNGER TEENAGERS IS  
 8 THAT CORRECT?

9 A. YES THAT CAN BE CORRECT.

10 Q. ALRIGHT AND I WOULD ASSUME BASED ON YOUR  
 11 INVESTIGATION AND KNOWLEDGE OF THE HAYNES FAMILY YOU'RE  
 12 AWARE THAT THE DEFENDANT HAD ALSO BEEN ALLEGED TO MAKE  
 13 ADVANCES TOWARDS OUR VICTIM M.S.H.'S SISTER MINDY AS  
 14 SHE WAS A YOUNG TEENAGER CORRECT?

15 A. THERE WERE SOME REFERENCES TO THAT IN  
 16 DOCUMENTS THAT I REVIEWED.

17 Q. AND AT THIS MOMENT S.H. IS NOT YET A  
 18 YOUNG TEENAGER CORRECT?

19 A. CORRECT.

20 Q. BUT M.H. WAS?

21 A. THAT'S CORRECT.

22 MS. KRUG: NOTHING FURTHER YOUR HONOR.

23 MR. LISZENSKI: JUST A FEW MORE QUESTIONS

24 JUDGE.

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1 RE-DIRECT EXAMINATION BY MR. LISZENSKI:

2 Q. THERE WERE NO CRIMINAL CHARGES FOR  
 3 MELINDA HOGG EVER FILED IS THAT FAIR TO SAY?

4 A. NONE THAT I'M AWARE OF.

5 Q. OKAY. DO YOU HAVE ANY CONCERN AS IT  
 6 RELATES TO, WELL LET ME BACK UP. MS. KRUG HAD ASKED  
 7 ABOUT THE TYPE OF VICTIM THAT CERTAIN SEX OFFENDERS  
 8 PREFER AND THINGS OF THAT NATURE RIGHT?

9 A. YES.

10 Q. DO YOU HAVE ANY CONCERN BASED ON YOUR  
 11 INVESTIGATION IN THIS CASE AS IT RELATES TO S.H. AND  
 12 CHUCK GOING FORWARD OF THE SAME TYPE OF THING REPEATING  
 13 ITSELF?

14 A. I HONESTLY CAN'T RULE ANYTHING OUT AT  
 15 THIS POINT. WHILE I DON'T, I DON'T KNOW THAT I THINK  
 16 ANYTHING WOULD HAPPEN I CAN'T SAY ANYTHING WOULDN'T AND  
 17 THAT'S UNFORTUNATELY MY ROLE AS A GUARDIAN AD LITEM IS  
 18 I HAVE TO PROTECT THAT CHILD.

19 Q. SURE. HAVE YOU SEEN ANYTHING IN TERMS  
 20 OF ANY BEHAVIOR WITH S.H. THAT WOULD LEAD YOU TO  
 21 BELIEVE THAT THINGS WERE GOING IN THAT DIRECTION?

22 A. IT HAS BEEN MY OPINION SINCE I ENTERED  
 23 THIS CASE THAT BOTH OF THESE CHILDREN WERE HIGHLY  
 24 SEXUALIZED FOR THEIR AGE. I HAVE NO IDEA, WE HAVE NOT  
 25 BEEN ABLE TO DETERMINE INCONCLUSIVELY WHETHER THAT'S

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1 DUE TO ONE FACTOR OR ANOTHER. IN THE COURSE OF MY  
 2 INVESTIGATION THERE'S A LONG HISTORY OF SEXUAL ABUSE IN  
 3 MOTHER'S FAMILY. THERE ARE A MILLION FACTORS AND IT'S  
 4 IMPOSSIBLE FOR ME TO SAY WHY THESE TWO CHILDREN WERE  
 5 MORE HIGHLY SEXUALIZED THAN OTHER CHILDREN THEIR AGE.  
 6 I'VE NEVER SEEN MR. HAYNES INTERACT WITH SARAH IN AN  
 7 INAPPROPRIATE WAY WITH MY OWN EYES, BUT I DON'T, I  
 8 DON'T KNOW.

9 Q. HAVE YOU EVER SEEN 13 YEAR OLDS  
 10 REPORTING THINGS ON THEIR OWN THINGS LIKE THAT OR LIKE  
 11 IS PRESENTED IN THIS CASE?

12 MS. KRUG: OBJECTION RELEVANCE.

13 THE COURT: WHERE ARE YOU GOING WITH THAT?

14 MR. LISZENSKI: WELL I WAS JUST ASKING IF  
 15 THIS IS A FOLLOW-UP OF A SEXUALIZED NATURE OF WHAT WAS  
 16 HAPPENING PER THE TESTIMONY AND IT'S UNCONTROVERTED  
 17 THAT THERE WERE IMAGES FOUND ON M.S.H.'S PHONE THAT  
 18 WERE OF A HIGHLY SEXUAL NATURE.

19 MS. KRUG: YOUR HONOR THAT MAY OR MAY NOT  
 20 HAVE BEEN ADMISSIBLE HAVE WE HAD A CRIMINAL TRIAL. HE  
 21 HAS PLED GUILTY.

22 THE COURT: THE OBJECTION IS SUSTAINED.

23 MR. LISZENSKI: THAT'S ALL I HAVE JUDGE.

24 THE COURT: ANYTHING ELSE?

25 MS. KRUG: JUST ONE QUESTION YOUR HONOR.

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1 ADDITIONAL CROSS EXAMINATION BY MS. KRUG:

2 Q. IN YOUR PRESENCE THE DEFENDANT HAS NOT  
 3 ACTED INAPPROPRIATELY WITH S.H.?

4 A. NOT THAT I'M AWARE OF, I'VE NEVER SEEN  
 5 ANYTHING INAPPROPRIATE.

6 Q. BUT YOU WERE THERE?

7 A. I HAVE HAD ONE MEETING WHERE FATHER  
 8 BROUGHT THEM TO MY OFFICE AND I WAS ABLE TO SEE HIM  
 9 INTERACT WITH BOTH OF THE MINOR CHILDREN AT THAT TIME  
 10 AND I DIDN'T SEE ANYTHING INAPPROPRIATE DURING THAT.

11 Q. BUT THE POINT OF MY QUESTION WAS YOU  
 12 WERE THERE WITH THEM?

13 A. DURING THAT YES.

14 MS. KRUG: NOTHING FURTHER.

15 MR. LISZENSKI: NO FURTHER.

16 THE COURT: MAY SHE BE EXCUSED?

17 MR. LISZENSKI: YES SIR.

18 MS. KRUG: YES.

19 THE COURT: THANK YOU MA'AM YOU ARE EXCUSED,  
 20 NEXT WITNESS FOR THE DEFENDANT.

21 MR. MILLS: MRS. BERNICE HAYNES.

22 THE COURT: ARE YOU ABLE TO CLIMB STEPS

23 MA'AM?

24 BERNICE HAYNES: SURE. THANK YOU THAT'S

25 FINE.

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